

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 30, 2007

DIVISION ONE

[illegible]

The order granting Nakao's motions is reversed, and the trial court is directed to enter a new order denying both motions. Appellant shall recover his costs of appeal.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
Jackson, J. (Assigned)

B192755 People (Not for Publication)
v.
Coye

The judgment is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
Jackson, J. (Assigned)

Defendant's conviction of count 6 (dissuading a witness) and the gang allegation as to count 11 (sexual battery) are reversed. The abstract of judgment is to be modified to correctly reflect the reversals of count 6 and the gang allegation as to count 11, that counts 1, 2, 8 and 10 are subject to the 15-year minimum parole eligibility and count 5 is subject to the 7-year minimum parole eligibility provision. The clerk of the court is directed to prepare a modified abstract of judgment and forward a copy to the Department of Corrections. In all other respects, the judgment is affirmed.

We concur: Vogel (Miriam A.), Acting P.J.
Rothschild, J.

The judgment is affirmed.

We concur: Vogel (Miriam A.), Acting P.J.
Rothschild, J.

DIVISION ONE (continued)

B194026 People (Not for Publication)
v.
Rogue

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Rothschild, J.

B193922 People (Not for Publication)
v.
Marvin Montoya Mata

The judgment is modified to impose the middle term sentence on count 1 and to stay sentence on count 6 pursuant to Penal Code section 654. As so modified, the judgment is affirmed. The clerk of the court is directed to prepare a modified abstract of judgment and forward a copy to the Department of Corrections.

Jackson, J. (Assigned)

We concur: Vogel (Miriam A.), Acting P.J.
Rothschild, J.

B197324 Tim Simpson (Not for Publication)
v.
City of Irwindale

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Rothschild, J.

DIVISION ONE (continued)

B192717 John O'Connor (Not for Publication)

v.

William P. Kennedy et al.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Rothschild, J.

B195271 Parisa Moghaddam (Not for Publication)

v.

Gautam Chakrabarati

The appeal is dismissed as to the August 24, 2006 order. The September 26, 2006 order is affirmed. Plaintiff is to recover costs on appeal.

Jackson, J. (Assigned)

We concur: Vogel (Miriam A.), Acting P.J.
 Rothschild, J.

DIVISION TWO

B198453 Goradia et al. (Not for Publication)

v.

Vega

The judgment is reversed and the matter remanded for a new trial or other appropriate disposition. The Goradias are entitled to costs on appeal.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B191175 Gertmenian (Not for Publication)

v.
Gertmenian

The postjudgment order is reversed. The case is remanded for the trial court to conduct an accounting. The parties are to bear their own costs on appeal.

Boren, P.J.

We concur: Ashmann-Gerst, J.
 Chavez, J.

B196067 PNS Jewelry, Inc. (Not for Publication)

v.
Dunbar Armored, Inc.

The judgment is reversed, and the case is remanded to the trial court with directions to reinstate the first amended complaint. Respondent Dunbar to bear all costs on appeal.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B191901 Taylor (Not for Publication)

v.
California Bank and Trust

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
 Chavez, J.

DIVISION ONE (continued)

B194922 Kaplowitz (Not for Publication)
 v.
 Noble

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
 Chavez, J.

B184414 People (Not for Publication)
 v.
 Erin

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

DIVISION THREE

B188716 Bithell (Not for Publication)
 v.
 E.P. Management Services, LP, et al.

The order is affirmed. Costs on appeal are awarded to respondents.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (continued)

B195454 Klistoff, Jr., et al. (Certified for Publication)

v.

Superior Court, Los Angeles County
(City of South Gate, r.p.i.)

The petition is granted. The matter is remanded to the trial court with directions to vacate the order overruling the demurrer to the second cause of action for conspiracy to violate section 1090, and to enter a new and different order sustaining the demurrer to that cause of action without leave to amend. Costs are awarded to the petitioners.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

B193992 People (Not for Publication)

v.

Francis

The judgment is modified to reflect that Francis's sentence on count 4, vandalism, is stayed pursuant to Penal Code section 654. The Clerk of the Superior Court is directed to prepare a corrected minute order and a corrected abstract of judgment and forward them to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (continued)

[illegible]

The judgment is modified to delete the award of presentence conduct credits. (2933.2.) The Clerk of the Superior Court is directed to prepare a corrected abstract of judgment and forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B195185 People (Not for Publication)
v.
Halsell

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FOUR (continued)

[illegible]

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

B196198 Hossain (Certified for Partial Publication)
v.
Hossain

The judgment is reversed with directions to enter judgment in favor of Kazi in the amount of \$7,157. The order denying relief under section 473, subdivision (b) is affirmed. Each side is to bear his own costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FOUR (continued)

B196619 Michaelis, Montanari & Johnson et al. (Not for Publication)
v.
City of Los Angeles, Department of Airports et al.

The order denying the City's special motion to strike is reversed. On remand, the trial court is directed to enter a new order granting the special motion to strike as to all causes of action except the cause, appearing under the heading "Second Cause of Action for Declaratory Relief," which alleges an actual present controversy between LAWA and MM&J regarding MM&J's right to documents under the Public Records Act. The City is awarded costs on appeal.

Willhite, J.

We concur: Epstein, P.J.
 Suzukawa, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Judge Wiley, J. (Assigned) and Eva McClintock and Sina Lui, Deputy Clerks.

B192939 Rickley et al.,
v.
Goodfriend
Yazdani

Merits:
Argued by Edward Horowitz for appellants and by Saul Reiss and Lisa Shyer for respondents. Cause submitted.

DIVISION SEVEN (continued)

B189153 Willdan Associates
 v.
 Sialic Contractors

Merits:
Argued by Bradley Pauley for appellant and by Kyle Kring for respondent.
Cause submitted.

B190702 Goldstein
 v.
 Hagnazarzadeh

Merits:
Argued by William Litvak for appellant and by Christine Page for
respondent. Cause submitted.

B191048 Zhou
 v.
 Unisource Worldwide et al.,

Merits:
Argued by Matthew Trostler for appellants and by David Brand for
respondent. Cause submitted.

B191937 Handy-Mixon
 v.
 L.A. Fitness

Merits:
Argued by Bernadine Tsung-Megason for appellant and by Chrispher Leye
for respondent. Cause submitted.

DIVISION SEVEN (continued)

B183929 Uzumcu
 v.
 Uzumcu

Merits:

Argued by Burton Senkfor for appellant and by John Dodd for respondent.
Cause submitted.

Each of the following:

B197141 DCFS v. I. C.,
B197345 DCFS v. Audrae J.,
B200253 Carrie F., v. SCLA

Argument waived, cause submitted.

Court recessed.

Court reconvened at 11:43 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J. and Eva McClintock and Sina Lui, Deputy Clerks.

B198359 Los Angeles County, D.C.S.
 v.
 John C.,

Merits:

Argued by Janette Cochran for appellant and by O. Raquel Ramirez,
Deputy County Counsel for respondent. Cause submitted.

B192584 County of Los Angeles
 v.
 Aegis Security Insurance

Merits:

Argued by Brendan Pegg for appellant and by H. Anthony Nicklin, Deputy
County Counsel for respondent. Cause submitted.

DIVISION SEVEN (continued)

B197375 Los Angeles County, D.C.S.

v.

Michelle P.,

Jacob P.,

Merits:

Argued by Leslie Barry for appellant and by Konrad Lee for respondent minor and waived by Los Angeles County respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Woods, J., Zelon, J. and Eva McClintock and Sina Lui, Deputy Clerks.

B193115 Daley

v.

CK Construction et al.,

Merits:

Argued by Arthur Morrow for appellant and by John Case for respondents. Cause submitted.

B193614 Gryzwinski

v.

Fahad-Gryzwinski

Merits:

Argued by Ronald Gryzwinski for appellant and by Michael Movius for respondent. Cause submitted.

DIVISION SEVEN (continued)

B191278 Jessen
 v.
 Mentor Corp.,

Merits:
Argued by Suzanne Rand-Lewis for appellant and by James Romag for respondent. Cause submitted.

B194506 Hasid et al.,
 v.
 Rojhani et al.,

Merits:
Argued by Charles Gardner for appellant and by Priscilla Slocum for respondents. Cause submitted.

Woods, J. left the bench.

Wiley, J. (Assigned) assumed the bench.

B198536 Marasco
 v.
 Superior Court, Los Angeles County
 (Douglas R. Ring, Inc., r.p.i.)

Merits:
Argued by Robert Olson for petitioner and by Eric Rowen for real party in interest. Cause submitted.

Court adjourned.